

## Message Text

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 RSC-01 /017 W

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R 291455Z JAN 75

FM AMEMBASSY STOCKHOLM

TO SECSTATE WASHDC 3815

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

UNCLAS STOCKHOLM 504

LONDON FOR LEGATT

E.O. 11652: N/A

TAGS: PFOR, CPRS, SW

SUBJECT: EXTRADITION - LARRY D. PINKNEY

REF: STOCKHOLM 324 NOTAL

1. EMBASSY TODAY RECEIVED REPORT OF JANUARY 27 FROM MINISTRY OF JUSTICE, UNDER COVER OF AIDE-MEMOIRE OF JANUARY 28 FROM FOREIGN MINISTRY, ASKING THAT THE EMBASSY PROVIDE A TRANSCRIPT OF THE EVIDENCE GIVEN AT PINKNEY'S TRIAL (IN SEPTEMBER 1973). THE ONLY TRANSCRIPTS PROVIDED BY THE EMBASSY LAST AUGUST WERE THOSE OF GRAND JURY PROCEEDINGS OF JULY 1973.

2. ACTION REQUESTED: THAT THE DEPARTMENT COMMUNICATE WITH THE SAN FRANCISCO AUTHORITIES AND ADVISE US WHEN WE CAN EXPECT TRANSCRIPT.

3. THE AIDE MEMOIRE ADVISES THAT THE SUPREME COURT INVITED PINKNEY TO A HEARING ON JANUARY 15. AFTER LISTENING TO HIS VERSION OF HOW HE CAME TO BE IN MISS HENSTELL'S APARTMENT AND HIS OBJECTIONS TO THE JURY'S VERDICT OF SEPTEMBER 7, 1973, THE COURT FOUND ITSELF UNABLE TO MAKE A DECISION WITHOUT REVIEWING THE TRANSCRIPT OF THE TRIAL ITSELF.

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4. FOR INFORMATION OF ADDRESSEES, PINKNEY WAS CONVICTED

BY SAN FRANCISCO COURT OF FIRST-DEGREE BURGLARY AND ASSAULT WITH A DEADLY WEAPON BUT ACQUITTED ON CHARGE OF ASSAULT WITH INTENT TO COMMIT RAPE. GRAND JURY PROCEEDINGS INDICATE THAT PINKNEY ENTERED WOMAN'S BEDROOM IN SAME APARTMENT BUILDING IN WHICH HE LIVED INSARLY MORNING HOURS, VIA LIGHTWELL WINDOW, MASKED, WITH AUTOMATIC WEAPON, WEARING GLOVES, DISCHARGED WEAPON, GRAPPLED WITH HER IN BED, FLED DOWN FIRE ESCAPE, WAS CORNERED AND ARRESTED IN DEAD END ALLEY OUTSIDE. HIS STORY (ACCORDING TO SWEDISH PRESS) IS THAT HE ENTERED IN RESPONSE TO CALLS FOR HELP, GRAPPLED WITH AND PURSUED REAL INTRUDER.

5. AIDE MEMOIRE AND MINISTRY OF JUSTICE REPORT INKATE SUPREME COURT "HAS DIFFICULTY" IN UNDERSTANDING PINKNEY'S MOTIVE FOR ENTERING WOMAN'S ROOM IF IT WAS OTHER THAN RESCUE MOTIVE HE ADDUCES.

6. BEGINNING JANUARY 22, SWEDISH MEDIA, AND IN PARTICULAR, VIOLENTLY ANTI-AMERICAN DAILY DAGENS NYHETER, GENERALLY RECOGNIZED AS SWEDEN'S LEADING AND MOST SERIOUS NEWSPAPER, HAVE CARRIED NUMEROUS REPORTS AND ARTICLES ON PINKNEY EXTRADITION REQUEST. IN FAMILIAR PATTERN, THESE DEPICT PINKNEY AS PROMINENT YOUNG BLACK ACTIVIST WHOSE ARREST AND CONVICTION WERE ENGINEERED BY THE "US ESTABLISHMENT" FOR PURPOSES OF POLITICAL PERSECUTION. HIS LAWYER IN STOCKHOLM IS HANS GORAN FRANCK, SPECIALIST IN DEFENDING AMERICAN FUGITIVES AND DESERTERS, AND LEADING FIGURE IN PRO-NORTH VIETNAM MOVEMENT. PRESS ACCOUNTS SAY HE HAS BEEN WORKING WITH PINKNEY'S CALIFORNIA LAWYER EDWARD BELL.

7. COMMENTS ON PRESS CAMPAIGN FOLLOW IN SEPTEL, TOGETHER WITH REQUEST FOR GUIDANCE ON CERTAIN ASPECTS OF CASE.

8. FOR PARIS: PINKNEY HAS PUBLICLY MADE POINT, PRESUMABLY TO SERVE ARGUMENT THAT US GOVERNMENT HAS SINISTER PLOT GOING, THAT AMEMBASSY PARIS RENEWED HIS PASSPORT IN DECEMBER 1973 "NO QUESTIONS ASKED" (OBVIOUSLY BECAUSE NO LOOK-OUT CARD YET ISSUED), EVEN THOUGH HE WAS FUGITIVE FROM CALIFORNIA JUSTICE AFTER WALKING OUT OF COURTROOM WITH STILL-VALID PRIOR PASSPORT IN HIS POCKET.

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